

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

JUSTIN L. LEVY,

Plaintiff,

v.

ORDER
09-CV-720

CITY OF BUFFALO and
RAYMOND HARRINGTON,

Defendants.

This case was referred to Magistrate Judge Hugh B. Scott, pursuant to 28 U.S.C. § 636(b)(1)(A). On May 23, 2011, plaintiff filed a motion for extension of time to complete discovery and to preclude evidence. On June 27, 2011, Magistrate Judge Scott filed a Report and Recommendation, recommending that plaintiff's motion to preclude evidence be denied, and that the motion be deemed a motion to compel production of initial disclosures and as such should be granted.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Scott's Report and Recommendation, plaintiff's motion to

preclude evidence is denied, and the motion is deemed a motion to compel production of initial disclosures and as such is granted.

This case is referred back to Magistrate Judge Scott for further proceedings.

SO ORDERED.

s/ Richard J. Arcara

HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT JUDGE

DATED: July 19, 2011